

IMPORTANT INFORMATION ON RELEASE OF OUR E-MAIL LIST

On Jan. 20-21, the Maine Department of Inland Fisheries and Wildlife notified its MOSES online customers that their e-mail address was being given to an outside organization – the Sportsman’s Alliance of Maine -- under a Freedom of Access Act (FOAA) request made by this group.

We have received numerous telephone calls and e-mails regarding this notice, and we hope your questions are answered in the information provided here.

Notice to Online Users:

This is the notice we distributed to our online licensing system users:

“As you know, the Department of Inland Fisheries & Wildlife periodically sends out informational emails to our online customers. We only send these e-mails out to customers who have indicated that they would like to receive them.

“Recently, we had a Freedom of Access Act request from an individual who represents an organization for our customer e-mail address list. The Freedom of Access Act is a statute that requires a state agency to provide public records to anyone upon request.

“Our initial response to the individual was that our customer e-mail address list was not a public record and was therefore not covered by the Freedom of Access Act. The individual appealed our decision with the Maine Attorney General's office that ruled in favor of the individual and directed IF&W to provide our customer e-mail address list to the individual.

“Therefore, we have recently provided our customer e-mail address list to the requesting individual per the direction of the Maine Attorney General's Office.

“The list contains only e-mail addresses, no other personal data is on the list. We wanted you to know that we did everything in our power to protect your privacy and apologize in advance for any issues this may cause you.

“To unsubscribe from this mailing list, click [here](#).”

MOSES:

MOSES is the Maine Online Sportsman Electronic System, a computer service for outdoor enthusiasts to use to buy hunting and fishing licenses, and to register boats, snowmobiles and ATVs.

MOSES is maintained by InforMe, a private company under contract with the State of Maine to host and maintain its websites, such as Maine.gov and state agencies.

The Maine Department of Inland Fisheries and Wildlife contracts with InforMe to host and maintain MOSES.

Lists:

When you use MOSES to purchase your license or registration, you provide your e-mail address to complete the transaction.

During this process, you are asked whether you would like to receive informational e-mails periodically from the Department, such as when moose permit lottery or any-deer permit applications are available. Many of you have said “yes” by selecting the box that was provided.

The list of “yes” responders has approximately 100,000 names. It is that list that the outside organization requested under the Freedom of Access Act (FOAA).

No other personal data were given; only e-mail addresses.

Name of the Organization:

The Sportsman's Alliance of Maine submitted the FOAA request, and received the list this month. We do not know how this group is going to use the information or whether it will be sold to other organizations or individuals.

Why Wasn't I Notified?

Under state law, once a FOAA request is made, the public records that are in the possession or control of the state agency that are responsive to the request must be disclosed and no information can be deleted. Therefore, you would not have been able to take your name off the list.

FOAA:

Maine's Freedom of Access Act can be viewed at <http://www.maine.gov/foaa/>. Select "Maine Freedom of Access Law" in the right column. Title 1, Chapter 402, number 3 pertains to public records.

InforMe's obligation on public records can be viewed at <http://www.mainelegislature.org/legis/statutes/1/title1sec538.html>

Unsubscribe?

Now that this FOAA request is complete, we're giving you the option to remove your name from our e-mail list.

It's a tough decision to make. Do you still want to be notified about applications, license sales, and other important information from the Department? Being on the list, you'll receive e-mails from us. But your e-mail address is subject to FOAA. Being off the list means you'll have to get updates from other sources, such as our website, our Facebook page, our Internet blogs, the local media, and sportsmen's publications.

Could Other Groups Get the List?

Yes. Any organization or individual could request the e-mail list and obtain it if they meet the requirements of the Freedom of Access Act. There is no state law prohibiting the use or sale of this list by the individual or group who requested it.

Legislation:

A bill is before the Legislature that, if passed, would exempt the e-mail list from the Freedom of Access Act. LD 1651 was presented at a public hearing of the Joint Legislative Committee on Inland Fisheries and Wildlife on Jan. 21. It is expected to be presented to the Joint Legislative Committee on the Judiciary for review, possible re-write, and decision.

What Can I Do?

Contact your legislators. The Maine Department of Inland Fisheries and Wildlife cannot advise you on what position or steps you should take on this bill. A list of legislators is available on Maine.gov, select "Legislature."